

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ANTONIO NATHANIEL SPEED,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:15CV267 NAB
	)	
HONORABLE THOMAS C. MUMMERT,	)	
III, and HONORABLE RODNEY W.	)	
SIPPEL,	)	
	)	
Defendants,	)	

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff’s civil complaint. Plaintiff, a prisoner at USP Leavenworth, has neither paid the filing fee nor submitted a motion for leave to proceed in forma pauperis. However, plaintiff has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.<sup>1</sup> Under 28 U.S.C. § 1915(g), therefore, the Court may not allow plaintiff to proceed in forma pauperis unless he “is under imminent danger of serious physical injury.”

After reviewing the complaint, the Court finds no allegations that would show that plaintiff is in imminent danger of serious physical injury. As a result, the Court will order plaintiff to pay the \$400 filing fee within twenty-one days of the date of this Order.

Accordingly,


**IT IS HEREBY ORDERED** that plaintiff shall pay the \$400 filing fee within twenty-one (21) days of the date of this Order.

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<sup>1</sup> Speed v. Mehan, 4:13cv1841 SNLJ (E.D. Mo.) (failure to state a claim); Speed v. Jennings City Jail, 4:13cv1749 CAS (E.D. Mo.) (frivolous and failure to state a claim); Speed v. Neal, 4:13cv2171 ERW (E.D. Mo.) (failure to state a claim).

**IT IS FURTHER ORDERED** that if plaintiff fails to timely pay the filing fee, the Court will dismiss this action without further proceedings.

Dated this 19<sup>th</sup> day of February, 2015.

A handwritten signature in black ink, appearing to read "Henry Edward Autrey", written over a horizontal line.

HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE